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FCC Mail Room



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(914) 421-7585

Via: Overnight Mail

February 27, 2014

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, D.C. 20554

**Re: Annual Customer Proprietary Network Information Compliance  
Certification; EB Docket No. 06-36**

Dear Ms. Dortch,

Please find enclosed an original and a copy of the Annual Proprietary Network Information ("CPNI") Compliance Certification for the following Companies:

Zayo Group LLC  
Access Communications, Inc.

#828965

#825556

Please have the copy date stamped and return in the self addressed stamped envelope provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Sandford", written over a horizontal line.

Jill Sandford  
Associate General Counsel

Enclosure  
SASE

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**Annual Customer Proprietary Network Information Certification**  
**Pursuant to 47 C.F.R. § 64.2009(e)**  
**EB Docket No. 06-36**

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Annual 64.2009(e) CPNI Certification for 2013.

Date filed: February 10, 2014

Names of Companies covered by this certification:

Form 499 Filer ID:

Zayo Group LLC

#828965

Access Communications, Inc.

#825556

f/k/a Access Communications Technologies, Inc.

Name of signatory: Scott Beer

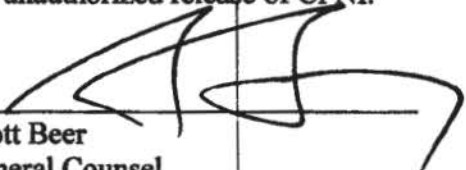
Title of signatory: General Counsel

I, Scott Beer, certify that I am an officer of the Companies named above, and acting as an agent of the companies, that I have personal knowledge that the Companies have established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the Companies' procedures ensure the company is in compliance with the requirements set forth in sections 64.2001 *et seq.* of the Commission's rules.

The Companies have not taken any actions (instituted proceedings or filed petitions at either state commissions, courts, or at the FCC) against data brokers in the past year. The Companies have no information outside of Commission Docket No. 96-115, or that is not otherwise publicly available (*e.g.*, through news media), regarding the processes pretexters are using to attempt to access CPNI. The steps the company has taken to protect CPNI include updating its CPNI practices and procedures and conducting new training designed to ensure compliance with the FCC's modified CPNI rules.

The Companies have not received any customer complaints in the past year concerning the unauthorized release of CPNI.

  
Scott Beer  
General Counsel

Date: 2.27.2014

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**Customer Proprietary Network Information Certification  
Attachment A**

The Companies have established practices and procedures adequate to ensure compliance with Section 222 of the Communications Act of 1934, as amended, ("section 222") and the Federal Communications Commission's ("FCC") rules pertaining to customer proprietary network information ("CPNI") set forth in sections 64.2001 - 64.2011 of the Commission's rules. This attachment summarizes those practices and procedures, which have been updated so that they are adequate to ensure compliance with the Commission's CPNI rules, as modified by the Commission in 2007.

The Companies provide private telecommunications services over dedicated lines to large enterprise customers pursuant to ICB contracts. The Companies' customer contracts uniformly contain confidentiality agreements that address customers' private information. It is the Companies' policy not to disclose CPNI except as specifically set out in its contracts with its customers and where required by law.

**Safeguarding against pretexting**

- The Companies' take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI, including the authentication of customers prior to disclosing CPNI based on customer-initiated contacts. The Companies' are committed to notify the FCC of any novel or new methods of pretexting it discovers and of any actions it takes against pretexters and data brokers.

**Training and discipline**

- The Companies have an express disciplinary process in place for violation of the Companies' CPNI practices and procedures. The Companies' employees are required to review and abide by Companies' Code of Conduct, which prohibits all employees from using customer information other than for providing service to the customer or as required to be disclosed by law.

**The Companies' use of CPNI**

- The Companies use CPNI for the following purposes:
  - (1) To initiate, render, maintain, repair, bill and collect for services
  - (2) To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
  - (3) For network maintenance; and
  - (4) As required by law.
- The Companies do not use CPNI for any marketing purposes. Specifically, the Companies do not use CPNI to market services to its existing customers. Nor do the Companies share, sell, lease or otherwise provide CPNI to any of its affiliates, suppliers, vendors, or any other third party for the purpose of marketing any service.
- The Companies' policy is not to share, sell, lease or otherwise provide CPNI to third parties. The Companies will disclose CPNI to a third party only when required by a lawfully issued



government subpoena or pursuant to an appropriate non-disclosure agreement for corporate or financial transactions.

**Additional safeguards**

- The Companies do not use CPNI for marketing purposes and therefore do not have records to maintain regarding marketing campaigns that use its customers' CPNI.
- The Companies have established a supervisory review process designed to ensure compliance with the FCC's CPNI rules.
- The Companies designate one or more officers, as an agent or agents of the Companies, to sign and file a CPNI compliance certificate on an annual basis. The certificate conforms to the requirements set forth in FCC rule 64.2009(e).
- The Companies do not disclose CPNI over the phone and do not allow for online access to CPNI.
- In the event of a breach of CPNI, the Companies will comply with all applicable breach notification laws.